

**INTERNAL  
COMMUNICATION FORM**  
DEPARTMENT OF HUMAN SERVICES

Subject: DIRECTOR'S MEMORANDUM #13-01  
Opportunities to Participate in Programs and Services

Originator: PERS/CRCS 586-4955  
[gwatts@dhs.hawaii.gov](mailto:gwatts@dhs.hawaii.gov)

To: SOs, DAs, BAs, SAs, USs  
OYS, HPHA, CSW, CSF

From: DIRECTOR

Date: 01/16/13

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This memorandum serves to reinforce and make clear the commitment of the Department of Human Services (DHS) to providing interpreter services at no cost to applicants and recipients of DHS services, programs, and activities. Collecting data relative to the need for interpreter services (including, and not limited to, interpretation and/or translation of vital written documents) is important to this commitment.

The DHS is committed to assuring that program benefits and services are made available to all persons and provided to all eligible individuals. This commitment is consistent with Federal and State statutes and regulations that prohibit discrimination in the provision of services by recipients of Federal and State funds.

To ensure that all persons are provided with an equal opportunity to participate in and benefit from our programs, services and activities, we must eliminate barriers that may preclude meaningful access for otherwise qualified individuals who might have special needs. In particular, persons with limited English skills and/or disabilities might require assistance to access and participate in our programs, services, and activities in and outside our facilities.

All DHS employees and sub-recipients of Federal and State funding through DHS must be aware of this commitment and shall conduct themselves appropriately when servicing applicants/participants. Discrimination will not be tolerated by the DHS and its sub-recipients.

We have an opportunity and obligation to provide services through processes that are free of discriminatory practices. DHS employees and its sub-recipients who engage in discriminatory conduct shall be subject to disciplinary action in accordance with the applicable personnel rules and regulations, bargaining unit agreements, and/or contractual agreements.

Prohibiting discrimination against individuals on the basis of genetics and/or disabilities.

Federal laws, such as the Genetics Information and Nondiscrimination ACT (GINA), the Americans with Disabilities Act, as Amended (ADAAA), and the Rehabilitation Act protect qualified individuals against discrimination. GINA prohibits discrimination based on genetic information and not on the basis of a manifested condition, while ADAAA prohibits discrimination on the basis of manifested conditions that meet the definition of a disability. To qualify for inadvertent exception to GINA, the DHS must first direct its doctors NOT to collect genetic information when conducting employment-related medical examinations or when making medical inquiries. Sub-recipients of Federal and State funding through DHS must also be directed to warn individuals and their health care providers that genetic information MUST NOT BE PROVIDED to the employer. For more information visit <http://www.eeoc.gov/laws/types/genetic.cfm>.

Additional State laws prohibit discrimination in employment, provide for reasonable accommodations, and further protect individuals who are Victims of Domestic or Sexual Violence in the State of Hawaii.

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In keeping with the DHS' policies (4.10.3 and 4.10.4) and to meet our obligations under Federal and State laws, as well as to benefit from the ideas and efforts of individuals we serve, the DHS will:

- ✓ Provide reasonable accommodations to ensure access to programs, services and employment for persons with disabilities and, to employment for victims of domestic or sexual violence. This must include an interactive process between the person requesting the accommodation and the supervisor or case worker to determine the most effective accommodation to meet the needs of the requestor and the DHS.
- ✓ Ensure our facilities that serve the public on a regular basis are physically accessible to applicants, participants and employees with disabilities. If this is not readily achievable, services shall be programmatically accessible to qualified individuals. Renovations and modifications to State owned and leased buildings will comply with 2010 Accessible Design Standards.
- ✓ Make reasonable modifications to our procedures and practices to ensure that persons with disabilities are not excluded from participation in our programs, services and activities.

Providing Equal Access by Removing Language Barriers and Providing No Cost Interpretation

The exclusion of Limited-English Proficient (LEP) persons from our programs because of their inability to communicate in English could be considered a form of national origin discrimination under the Civil Rights Act, as well as Hawaii Revised Statutes, Chapter 371, Part II. In order to comply with these laws and statutes, and more importantly to benefit from the opportunities to serve LEP persons, as well as ensure that they are free from discriminatory practices at the DHS, we must take the following steps to assure that all eligible persons with LEP have meaningful access to the benefits, services, and activities we provide:

- ✓ Ensure that LEP persons are informed of their right to be provided with interpreter services free of charge to them. See attachment for tools.
- ✓ Provide interpretation and/or translation of vital documents, such as applications, consent forms, and notices regarding denial or changes in benefits to promote understanding based on guidelines from program funding agencies and State laws.
- ✓ Contact qualified individuals and organizations, profit and/or non-profit, when interpreter services are needed. Utilize qualified multi-lingual staff as well as qualified employees and community volunteers who have volunteered to serve as interpreters. Follow your Division's protocol in using court interpreter list.
- ✓ Utilize technology effectively to promote clear communication and understanding about programs, processes, and rights.

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Additionally, the following guidelines must be followed by the DHS, and its providers and sub-recipients:

- ✓ Notices Up-to-date notices must be placed in all public waiting areas.
- ✓ Data Collection Each DHS Division, administratively attached agency or commission and sub-recipient of Federal or State funding must collect and report data relative to language access needs.
- ✓ Training and Follow-up Annual refresher training and follow-up of procedures and protocols are required.

This Internal Communication Form (ICF) should be disseminated to all employees, providers and sub-recipients and filed in the Director's Memorandum section of the DHS Policies and Procedures Manual (Reference 4.10.3 and 4.10.4). This ICF replaces Director's Memorandum # 12-01.



Patricia McManaman  
Director

## NOTICE

Free Interpreter Services  
Available to assist with  
Access to DHS services

CALL Toll-Free

1-888-764-7586



免費的翻譯員服務，以幫助 DHS  
的服務，請打免費電話 1-888-764-7586。



DHS (후생국)의 서비스들을 받기 위해서 무료 통역  
서비스를 이용할 수 있으며 무료-직통전화  
1-888-764-7586으로 연락하세요.



Mei or ei neni ka tongeni kokori ika pwe ke  
mochen nounou chon chiaku ese kamo ei  
neni itan DHS nampan 1-888-764-7586.



Adda Libre a Serbisyo dagiti Interpreter nga  
tumolong a sumrek kadagiti serbisyo ti  
DHS. Tawag 1-888-764-7586



Ewor Jerbal in Ukook Ko Ejelok Wonaer nan  
jiban ilo dnelonlok ilojikin jiban ko an DHS,  
kirlok Toll-Free nombu in 1-888-764-7586.

việt Nam

Các Dịch Vụ Thông Dịch Viên Miễn Phí có sẵn để trợ  
giúp đạt được các dịch vụ của DHS, gọi Số  
Điện-Thoại-Miễn-Phi 1-888-764-7586.

Guidelines for Providing Equal Access  
by Removing Language Barriers and  
Providing Interpretation Services at  
no cost to the individual seeking DHS services.

Greet the individual seeking services, on the phone or in person, with a smile and aloha.

1. Determine whether the individual is an Limited English Proficient (LEP) individual.
2. Identify the chosen language via I speak cards, point-to-posters and/or asking **one or more** of the following questions if you believe the person can understand what you are asking: (Usually, it is not necessary to ask all of these questions.)
  - (a) Would you like an interpreter?
  - (b) What language do you feel most comfortable speaking most of the time?
  - (c) How well do you think you understand English?
  - (d) How satisfied are you with your ability to read English?
  - (e) In which language do you feel most comfortable reading medical or health care instructions?

When the individual can understand one or two words in English only:

- (a) Obtain the LEP individual's phone number for call back with interpreter and/or
  - (b) Say: Please call: 1-888-764-7586 to get information in your language.
3. Document the acceptance or waiver of offer of interpreter services.
4. Follow-up to check for understanding.

Suggested Script for assisting Limited English Proficient (LEP) Individuals

**Sample Script: (1)**

Hello (or Aloha) my name is \_\_\_\_\_.

I can help you with \_\_\_\_\_. (Be brief)

Would you like an interpreter to help you understand what we need to do?

What language do you feel most comfortable speaking most of the time?

Please wait while I obtain an interpreter.

**OR**

**Sample Script: (2)** (understands/speaks one or two words in English only)

English no?      Interpreter yes?      Speak language?      Service?

Please wait.      or      Please call 1-888-764-7586.